

**Remarks/Arguments**

**35 U.S.C. §102**

Claims 1-6, 8-13, and 15-20, stand rejected under 35 U.S.C. §102(e) as being anticipated by Zimmerman et al. (U.S. Patent Publication No. 2003/0093789).

It is respectfully asserted that Zimmerman fails to teach or suggest an interface which allows a user:

“to individually select for each of a plurality of types of emergency events: whether a message will be presented, whether a presentation subsystem will be placed into an active mode, and at least one type of alert output that is to be presented,”

as described in currently amended claim 1.

A problem addressed by the subject application is the inability of a user to readily determine from an alert output whether the particular emergency event is one which may require immediate action. (page 2, lines 5-13) The use of a common alert mode for every type of emergency event as described above may be confusing and even dangerous for consumers since they may be unable to readily determine from the alert output whether the particular emergency event is one which may require immediate action (e.g., tornado warning), or one which may be ignored (e.g., thunderstorm watch). Furthermore, the use of a common alert for every type of emergency event may tend to desensitize users towards output alerts in general since all alert outputs may appear to be the same. As a result, consumers may be more likely to ignore alert outputs and thereby expose themselves to dangerous conditions. Accordingly, there is a need for a device capable of receiving emergency alert signals which avoids the foregoing problems.

To solve these problems, the subject application teaches a television signal receiver having an emergency alert function. The receiver includes a tuner that is operative to tune a frequency that includes emergency alert signals that indicate a type of emergency event. The tuner also includes a processor that is operative to enable an alert output that is responsive

to the emergency alert signals. The alert output is provided in accordance with a user selectable alert mode corresponding to the type of emergency event. Specifically, a user interface allows a user to individually select for each of a plurality of types of emergency events: whether a message will be presented, whether a presentation subsystem will be placed into an active mode, and at least one type of alert output that is to be presented. Thus, the present claimed invention addresses the inefficiencies of specialized emergency radios and their lack of user customization, providing a television apparatus that incorporates the monitoring of emergency signals. In order to help users differentiate between warnings, the present claimed invention allows the user to customize the alerts used for the individual types of emergencies.

The present claimed invention does not merely filter the alerts based on the alert type, but permits the user to set different modes of alarm and whether a subsystem will be activated when different types of alerts are received. Certain alerts may simply flash a message on the television screen. Other alerts may cause the system to switch to the emergency audio channel, while some other alerts may both flash an emergency message on the screen and switch to the emergency audio channel. In this way, the user can differentiate between three different types of events.

Zimmerman teaches “systems for monitoring broadcast content and generating notification signals as a function of subscriber profiles and methods of operating the same. According to an exemplary embodiment, a monitoring system is introduced that is capable of identifying special event content within a plurality of broadcast content streams, each of the plurality of broadcast content streams having detectable content attributes. The monitoring system is operable to (i) sense a content change within at least one of the plurality of broadcast content streams as a function of the detectable content attributes, (ii) detect the special event content broadcast within the at least one of the plurality of broadcast content streams as a function of the sensed content change, and (iii) selectively generate a notification signal as a function of the detected special event content and a subscriber profile.” (Zimmerman abstract)

Zimmerman uses the concept of alert values and thresholds to determine which types of alerts are generated, not individual settings provided by the user for each of a plurality of event types. Zimmerman describes use of a profile containing addresses, telephone numbers, email addresses, interests, warnings of interest, and preferences for contacting. Zimmerman then describes computation of a “special event score” and the use of that score in determining how an alert is to be presented. (Zimmerman, paragraph 0020). Zimmerman does not, however, disclose providing an interface to allow individual selection of presentation, alert type, and subsystem activation for each event type. Therefore, Zimmerman fails to disclose an interface which allows a user “to individually select for each of a plurality of types of emergency events; whether a message will be presented, whether a presentation subsystem will be placed into an active mode, and at least one type of alert output that is to be presented,” as described in currently amended claim 1.

In view of the above remarks and amendments to the claims, it is respectfully asserted that there is no 35 USC 112 enabling disclosure provided by Zimmerman that makes the present invention as claimed in claim 1 unpatentable. It is further submitted that independent claims 8 and 15 are allowable for at least the same reasons that claim 1 is allowable. Since dependent claims 2-7, 9-14, and 16-21 are dependent from allowable independent claims 8 and 15 respectfully, it is submitted that they too are allowable for at least the same reasons that their respective independent claims are allowable. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

### **35 U.S.C. §103**

Claims 7, 14, and 21, stand rejected under 35 U.S.C. §103(a) as being unpatentable over Zimmerman et al. (U.S. Patent Publication No. 2003/0093789) in view of Letzt et al. (U.S. Patent No. 5,612,869).

Since dependent claims 7, 14, and 21 are dependent from independent claims 8 and 15, which are allowable for the reasons described above, it is submitted that they too are allowable for at least the same reasons that their respective independent claims are

allowable. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's representative at (609) 734-6804, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No fee is believed due. However, if a fee is due, please charge the additional fee to Deposit Account 07-0832.

Respectfully submitted,

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